

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

H. THOMAS MORAN, II,  
in his Capacity as Receiver of  
the Assets of Lifetime Capital, Inc.  
and Certain Affiliated Persons  
and Entities,

Plaintiff,

Case No.: 3:05-cv-72

vs.

DAVID W. SVETE,

District Judge Thomas M. Rose  
Magistrate Judge Michael J. Newman

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION (DOC. 215)**

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The Court has reviewed the Report and Recommendation of United States Magistrate Judge Michael J. Newman (doc. 215), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendation in full. It is therefore **ORDERED** that the Receiver's Complaint (Doc. 1) is **DISMISSED WITH PREJUDICE**.

Date: 6/18/2014

\*s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE